

TEMPORARY

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

SEP 07 1995

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

Corrected application filed..... Map filed 5-15-95 under 61239

The applicant LOEB ENTERPRISES, LTD.

7755 SPANISH SPRINGS DRIVE of SPARKS
Street and No. or P.O. Box No. City or Town

NV 89436 hereby make ^S application for permission to change the
State and Zip Code No.

manner of use and place of use
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Claim #353 of the Final Decree in Equity Docket
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

No. A-3, "United States of America vs. Orr Water Ditch Company, et al."
Identify right in Decree.

1. The source of water is Springs
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 1.90 CFS not to exceed 48.0 acre feet annually
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for dust control, compaction, turf and plant initiation and other construction purposes
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for as Decreed
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point Existing point of diversion is not
Describe as being within a 40-acre subdivision of public survey and by course and
described in the Decree. Plane table survey maps show springs located in the
distance to a section corner. If on unsurveyed land, it should be stated.

NE 1/4 SW 1/4 and the SE 1/4 NW 1/4 of Section 12, T. 20 N., R. 20 E. M.D.B. & M.

6. The existing permitted point of diversion is located within.....
If point of diversion is not changed, do not answer.

See Exhibit #1 attached

7. Proposed place of use.....
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use.....
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
15.0 acres within the S 1/2 SW 1/4 of Section 1, T. 20 N., R. 20 E.,
M.D.B. & M. and within the NW 1/4 and the NW 1/4 SW 1/4 of Section 12, T. 20 N., R. 20 E.,
manner of use of irrigation permit, describe acreage to be removed from irrigation.
M.D.B. & M. The Decree and Decree maps do not show exact locations of this 15.0
acres.

9. Use will be from As Decreed to..... of each year.
Month and Day Month and Day

10. Use was permitted from As Decreed to..... of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
Water will be diverted from existing
specifications of your diversion or storage works.)
springs into storage ponds and distributed throughout the proposed place of use.
State manner in which water is to be diverted, i.e. diversion structure,
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works.....
in excess of \$10,000.00

13. Estimated time required to construct works.....
one month

14. Estimated time required to complete the application of water to beneficial use..... one year
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:
- Water will be used for construction of the Wingfield Springs Golf Course
and associated off site improvements.

Compared..... cl/cmg cl/bk

By..... Robert E. Firth, Agent
s/Robert E. Firth
360 East Riverview Cr.
Reno, NV 89509

Protested.....

APPROVAL
OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the place of use and manner of use of the waters of Spanish Springs and Spanish Springs Reservoir as heretofore granted under Claim 353, Truckee River Final Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

A monthly report of the water diverted and placed to beneficial use must be submitted to the State Engineer and Federal Water Master on a quarterly basis within 15 days after the end of each calendar quarter.

This temporary permit is issued subject to the regulation of the irrigation season as established by the Federal Water Master.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on November 2, 1996 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 1.90 cubic feet per second....., but not to exceed 48.0 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this..... 3rd day of..... November.....

A.D. 19 95

by: Christine Thiel, P.E.,
Deputy State Engineer

State Engineer

EXPIRED
DATE NOV 02 1996
(O)-1108 (Rev. 6-81)